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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

DIANE ROARK,

Case No.: 6:12-CV-01354-MC

Plaintiff,

DEFENDANT'S STATUS REPORT

v.

UNITED STATES OF AMERICA,

Defendant.

Defendant the United States of America, by Billy J. Williams, United States Attorney for the District of Oregon, and through James E. Cox, Jr., Assistant United States Attorney for the District of Oregon, submits this status report pursuant to the Court's scheduling order of April 1, 2016. (ECF No. 130.)

This is a return of property case under Federal Rule of Criminal Procedure 41(g) in which the Court has adopted the government's plan to return to Plaintiff

the non-classified and non-protected electronically stored information contained on a computer hard drive that the government obtained during a 2007 search and seizure. (ECF No. 126.)

Since the filing of the government's last status report (ECF No. 129), the government has returned to Plaintiff the 132 unique computer files that did not contain any protected and/or classified NSA information based on a manual review of the files.¹ The House Permanent Select Committee on Intelligence ("HPSCI") has begun manual review of the 7,655 unique files that contain one or more HPSCI search terms and has reviewed approximately 2,000 of those files to date. The HPSCI has not completed the manual review as swiftly as it originally anticipated because it has had to devote staff attorney time to the HPSCI markup and House passage of the Intelligence Authorization Act (which occurred in May) and because of logistics involved in reviewing the files (the files must be reviewed on a classified computer in Calverton, Maryland, about 20 miles from HPSCI offices in Washington, DC).

The HPSCI estimates that it will be able to finish the manual review of the remaining files by the end of June. Once that review is complete, the government will return any files that do not contain any protected and/or classified HPSCI information to Plaintiff. This will complete the government's review and return of

¹Due to a software issue, the government incorrectly stated in the last status report that there were 133 files that were cleared for return after manual review by the NSA. The correct number is 132 files.

non-privileged and non-protected information from the computer seized in the 2007 search of Plaintiff's residence.

DATED this 26th day of May 2016.

Respectfully submitted,

BILLY J. WILLIAMS
United States Attorney
District of Oregon

/s/ James E. Cox, Jr.
JAMES E. COX, JR.
Assistant United States Attorney
Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Defendant's Status Report** was placed in a postage prepaid envelope and deposited in the United States Mail at Portland, Oregon on May 26, 2016, addressed to:

Diane Roark
2000 N. Scenic View Dr.
Stayton, OR 97383

And was sent via email to the following email address:

gardenofeden@wvi.com

/s/ *Keith Ramsey*
KEITH RAMSEY

CERTIFICATE OF SERVICE